IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH

FRIDAY, THE 16TH MARCH 2007 / 25TH PHALGUNA 1928

WP(C).No. 30373 of 2003(N)

PETITIONER:

G.GOPALAKRISHNAN NAIR, DARSANA,
WARD NO.4, OF KURICHI PANCHAYATH, KOTTAYAM.

BY ADV. SRI.P.B.SAHASRANAMAN,
SRI.K.JAGADEESH,
SRI.T.S.HARIKUMAR.

RESPONDENTS:
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1. **KERALA STATE POLLUTION CONTROL BOARD,**
   REP. BY ITS SECRETARY, THIRUVANANTHAPURAM.

2. **THE ENVIRONMENTAL ENGINEER, KERALA**
   STATE POLLUTION CONTROL BOARD, DISTRICT OFFICE,
   ST.ANTONY'S COMPLEX, NAGAMBADAM, KOTTAYAM,
   - 686013.

3. **ANIL KUMAR, CHITHIRA AUTHOMOBILES,**
   WARD NO.13 OF KURICHI GRAMA PANCHAYATH,
   KURICHY P.O.

4. **DEPUTY SUPERINTENDENT OF POLICE,**
   KOTTAYAM.

BY ADV. SRI.C.K.SASI,
SRI.C.A.NAVAS,
SRI.BABU JOSEPH KURUVATHAZHA,SC.
SMT.K.K.THULASY BHAI,SC.

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 16/03/2007,THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

W.P.(C). NO.30373/2003:

APPENDIX

PETITIONER'S EXHIBITS:

EXT.P.1: SOME PHOTOGRAPHS OF THE WORKSHOP OWNED BY THE R.3.

EXT.P.2: COPY OF THE COMPLAINT MADE BY THIS PETITIONER AND OTHER RESIDENTS BEFORE THE R.2. DTD. 25/06/2003.

EXT.P.3: COPY OF THE REPRESENTATION FILED BY THIS PETITIONER BEFORE THE R.2. DTD. 21/09/2004.

EXT.P.4: COPY OF THE LETTER ISSUED BY THE R.2. TO THE R.3, DTD. 08/10/2004.

EXT.P.5: COPY OF THE ORDER OF THE KURICHY GRAMA PANCHAYAT, DTD. 20/09/2004.

RESPONDENT'S EXHIBITS:

EXT.R3.A: COPY OF THE LICENSE NO. 37/96 DTD. 13/11/1996 ISSUED BY THE PRESIDENT OF THE KURICHY GRAMA PANCHAYAT IN FAVOUR OF THE R.3.

EXT.R3.B: COPY OF THE LICENSE NO. A4.10/2001-02 DTD. 12/06/2001 FOR THE PERIOD FROM 01/04/2001 TO 31/03/2002 ISSUED BY THE SECRETARY OF THE KURICHY GRAMA PANCHAYAT TO THE R.3.

EXT.R3.C: COPY OF THE RECEIPT NO. 58 (BOOK NO. 52373) DTD. 24/03/2003 FOR RS. 486/- TOWARDS FEES FOR THE LICENSE, ISSUED BY THE SECRETARY OF THE KURICHY GRAMA PANCHAYAT.

EXT.R3.D: COPY OF THE RECEIPT NO. NIL DTD. 09/04/2003 ISSUED BY MR. MAHESH KUMAR IN FAVOUR OF THE FATHER OF THE R.3.

EXT.R3.E: COPY OF THE LETTER NO. PCB/KTM/COM/161/02 DTD. 07/01/2004 ISSUED BY THE R.2. TO THE R.3.

//TRUE COPY//

prv.

KURIAN JOSEPH, J.

W.P.(C) No.30373 of 2003

Dated 16th March, 2007.

J U D G M E N T

The prayer is to take appropriate action against the third respondent for violation of the provisions regarding prevention of pollution. Learned counsel for the third respondent submits that prompt action has already been taken to abate the pollution. In view of the intervening developments pursuant to the interim orders passed by this Court, in case the petitioner has still any grievance left, he may approach the second respondent, in which case, appropriate prompt action with notice to the petitioner and the third respondent will be taken.

The writ petition is disposed of as above.

KURIAN JOSEPH, JUDGE.

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KURIAN JOSEPH, J

O.P.No. of 2002

J U D G M E N T

Dated 16th March, 2007.